

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE M.N.KRISHNAN**

**FRIDAY, THE 13TH JULY 2007 / 22ND ASHADHA 1929**

**WP(C).No. 21613 of 2007(W)**  
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**OS.322/2006 of III ADDL.SUB COURT, KOZHIKODE**  
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**PETITIONER:**  
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**CITICORP FINANCE (INDIA) LTD.,  
1ST FLOOR, BUSINESS COMMUNICATION CENTRE,  
CHIRAMEL CHAMBERS, KURISHUPALLY ROAD, RAVIPURAM,  
ERNAKULAM, REPRESENTED BY ITS MANAGER,  
(COLLECTIONS), NISHAN NATARAJAN.**

**BY ADV. SRI.KKM.SHERIF  
SRI.P.M.KUNJIMOIDEENKUTTY  
SRI.LAL K.JOSEPH  
SRI.A.A.ZIYAD RAHMAN  
SRI.RAKESH DAWNY KOKKATTU**

**RESPONDENTS:**  
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- 1. PAUL V.J., AGED 29 YEARS,  
S/O. JOSEPH, VADAKKETHDATHIL HOUSE,  
THIRUVAMPADY P.O., THIRUVAMPADY AMSOM DESOM,  
KOZHIKODE TALUK.**
- 2. JOSE K.J.,  
KIZHAKKEPARAMBIL, PULLOORAMBARA P.O.,  
KALIYAMPUZHA, MEPPAYYUR, CALICUT-673 603.**

**BY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 13/07/2007, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

M.N. KRISHNAN, J.  
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W.P.C. NO. 21613 OF 2007  
= = = = =  
Dated this the 13<sup>th</sup> day of July, 2007.

J U D G M E N T

This writ petition is filed to give a direction to the III Addl. Munsiff, Kozhikode to consider and dispose of Ext.P3 petition within a time frame. The prayer in Ext.P3 is to direct the plaintiffs to approach the Arbitrator under the provisions of the Arbitration and Conciliation Act in the light of clause 16 of the agreement entered into between the parties. The said application is filed on 27.10.06. The jurisdictional aspect will depend upon the result of this petition. Therefore, the Court below is directed to dispose of Ext.P3 application as expeditiously as possible within a time frame of 2 months from today after hearing both sides. The writ petition is directed to produce a copy of this order before the Court below for compliance.

The writ petition is disposed of accordingly.

**M.N. KRISHNAN, JUDGE.**

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